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OFFICE OF PETITIONS

In re Application of :
MICHELLE J. PILLERS et al :
Application No. 09/479,410 : **DECISION ON PETITION**
Filed: January 6, 2000 :
Attorney Docket No. 69311-028US0 :

This is a decision on the petition, filed February 9, 2006, under 37 CFR 1.181 requesting withdrawal of the holding of abandonment in the above-identified application. The delay in rendering this decision by the Office is regretted.

The petition under 37 CFR 1.181 is **GRANTED**.

This application was held abandoned for failure to reply to the Notice of Allowance mailed October 1, 2003, which set a time limit to correct the non-compliance appeal brief filed April 11, 2001. Extensions of time under 37 CFR 1.136 were not permitted. Since the Office received no response, a Notice of Abandonment was mailed on February 9, 2004.

Petitioner asserts that the Notice of Allowance mailed October 1, 2003 was not received, and presents evidence to establish that a proper Change of Address was filed prior to the mailing of the Notice of Allowance. A review of the file indicates that the Notice of Allowance mailed October 1, 2003 was mailed to petitioner's old address. Petitioner has presented a petition to withdraw the Notice of Abandonment along with the payment of the Issue Fee.

The petition under 37 CFR 1.181 is granted. Since the requested relief has been granted, and payment of the Issue Fee was presented and accepted, this application is being forwarded to the Office of Data Management for appropriate processing into a patent.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-0602.

Thurman K. Page
Petitions Examiner
Office of Petition